

GOVERNMENT OF TELANGANA
ABSTRACT

Tribal Welfare Department – Telangana State – Adilabad District – Issue of Agency Area Local ST Certificates under GO Ms.No.24 of dt.12.6.2018 of TW (LTR.1) Department – Memo issued by District Collector Adilabad to Pawar Shivacharan S/o Prakash, in Memo Rc.No.C3/1621/2019-3, dt: 26.09.2019, stating that the Certificate not genuine - Appeal filed by Pawar Shivacharan S/o Prakash R/o. Nagalkonda Village of Narnoor Mandal, Adilabad District – Allowed – Orders – Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No. 25

Dated: 11-02-2021
Read the following:-

1. GO Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Memo.Rc.No.C3/1621/2019-3, dt.26.09.2019 of Collector, Adilabad District.
3. Appeal petition filed by Pawar Shivacharan S/o Prakash R/o. Nagalkonda Village of Narnoor Mandal, Adilabad District, dated 22.06.2020.
4. Govt.Memo.No.580/TW.LTR/2020, dated 16.07.2020,31.08.2020 & 24.09.2020
5. Lr.Rc.No.D5/309/2018, dated: 28.09.2020 of P.O, ITDA, Uttoor, Adilabad District.
6. Notice No.580/TW.LTR/2020, dt. 24.09.2020.

ORDER

In the reference 1st read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1st read above, the District Collector, Adilabad in the reference 2nd cited, informed the applicant i.e. Pawar Shivacharan S/o Prakash R/o Nagalkonda Village of Narnoor Mandal, Adilabad District, that the Local ST Area Certificate submitted by him during certificate verification for appointment of Forest Beat Officer was taken up for enquiry by the scrutiny committee as per guidelines mentioned in GO Ms.No.24, dated 12.06.2018 and during verification, the said certificate was found not genuine. Therefore, instructed the applicant to file appeal before the Government under GO Ms.No.24, dated 12.06.2018, if aggrieved by the said orders of the scrutiny committee.

3. The Project Officer, ITDA Uttoor, Adilabad District in his letter Rc.No.D5/309/2018, dt.28.09.2020 has submitted Enquiry Report of the Scrutiny Committee and connected records stating that the candidate Pawar Shivacharan S/o Prakash R/o Nagalkonda of Narnoor Mandal has submitted the following documents to the Scrutiny Committee:

- i) Pahani 1950-51 of Nagalkonda in the name of Gopa S/o Rupla
- ii) Pahani 1963-64 of Nagalkonda in the name of Gopa S/o Rupla.
- iii) Pahani 1968-69 of Nagalkonda in the name of Gopa S/o Rupla.

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- iv) Voter list – 1977 (Gopal at Sl.No.284) of Nagalkonda village
- v) Pahani 1984-85 of Nagalkonda in the name of Gopa S/o Rupla.
- vi) Pahani 1994-95 of P.Prakash S/o Gopa.
- vii) Choufasla – 1997-98 of Nagalkonda (No name in the family).
- viii) Pahani 2005-06 of P.Prakash S/o Gopal.
- ix) Pahani 2009-10 of P.Prakash S/o Gopal.
- x) Pahani 2017-18 of P.Prakash S/o Gopal.
- xi) Patta pas book of R.Prakash S/o Gopa.
- xii) Family Tree.

4. The Project Officer, ITDA, Utnoor further reported the following findings made by the Members of the Scrutiny Committee::

- i) Not submitted documentary proofs to establish his family has been residing in Agency Area since 1950 (i.e. Nagalkonda village).
- ii) Family tree not attested by the competent authority i.e. Tahsildar, Narnoor.
- iii) Surname of the Grandfather of the individual is not mentioned in the land records i.e., Pahani 1950-51, 1963-64 and 1968-69.
- iv) Surname of the Grandfather of the individual has not been mentioned in the Electoral Roll 1977 of Nagalkonda village of Narnoor Mandal.

5. Aggrieved to reference 2nd cited, the appellant Pawar Shivacharan has filed an Appeal before the Government under GO Ms.No.24, dt.12.6.2018 and stating that he had obtained Agency Area Certificate in the year 2018 as per GO Ms.No.3 and when the LSTAC applied for in terms of GO Ms.No.24, his plea has been rejected treating his earlier LSTAC as not genuine – therefore, requested to consider re-verifying his case. His representation dated 22.06.2020 along with the documents have been treated as Appeal before the Government under GO Ms.No.24, dt.12.6.2018. The documents which have been submitted along with the Appeal are examined as follows:

i) **Family Tree signed VRO Nagalkonda and MRI-I, Narnoor Mandal:**

– **Gopa S/o Rupla is grandfather of appellant.** He has five sons namely 1) Powar Ganesh 2) Powar Utham 3) **Powar Prakash (father of appellant)** 4) Powar Dileep and 5) Powar Vinod Kumar.

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- Powar Prakash (father of appellant) has three children namely 1) Powar Priyanka (daughter) 2) Powar Shivacharan (son and appellant herein) and 3) Powar Saicharan (son).

- ii) Pahani 1950-51 of Nagalkonda village – name of Gopa S/o Rupla (i.e. grandfather of appellant) was shown for an extent of 10 acres under cultivation in the total extent of 524.8½ acres in Sy.No.51/8.
- iii) Copy of Bhoobaga Register 1954-55 of Nagalkonda village – name of Gopa S/o Rupla (i.e. grandfather of appellant) was recorded in cultivation.
- iv) Pahani 1962-63 of Nagalkonda village – name of Gopa S/o Rupla was recorded for an extent of 15 acres under cultivation in Sy.No.51/9.
- v) Pahani 1968-69 of Nagalonda village – Narnoor Mandal – name of Gopa S/o Rupla was recorded for an extent of 10 acres in Sy.No.51/9.
- vi) Pahani 1984-85 of Nagalkonda village – Narnoor Mandal – shows name of Gopa S/o Rupla (grandfather of appellant) for an extent of 10 acres in Sy.No.51/9/8.
- vii) TGMS (Telugu Girijana Maagana Samaradhana) Assignment List 1988 - name of Pawar Gopa (grandfather of appellant) was recorded at Sl.No.16 for an extent of acres 11.34 gts.Total of 855.30 acres was assigned to 118 beneficiaries of which (100) are tribals provided with 746.37 acres and (16) non-tribals were found in possession for an extent of 100 acres 01 gunta and 8 acres 32 guntas under Govt. occupation.
- viii) Final Patta Certificate bearing No.TGMS-II/13/1989, dt. -4-1989 issued by Special Deputy Tahsildar, TGMS, Utnoor to Sri Powar Gopa S/o Roopla (grandfather of appellant) assigning extent of 11 acres 34 guntas in Sy.No.67/16.
- ix) Name of Sri Gopia S/o Rupla was found as purchaser and possessor for an extent of 10 acres in Sy.No.51/8 – in Enclosure I © of Certified Copy of CSS&LR's Ref.No.P5/90/89, dt.21.2.1989.
- x) Pahani 1994-95 - Nagalkonda village – Narnoor Mandal – Pawar Prakash S/o Gopa (father of appellant) was recorded for an extent of 2 acres in Sy.No.67/16/8.
- xi) Pahani 1997-98 – Nagalkonda village – Narnoor Mandal – name of Maronibai W/o Gopa (grandmother of appellant) was recorded for an extent of acs.1.34 gts in Sy.No.67/16.
- xii) Pahani 2005-06 – Nagalkonda village – Narnoor Mandal – names of 1) Maronibai W/o Gopa (grandmother of appellant) was recorded for an extent of acs.1.34 in Sy.No.67/16/8 while Pawar Prakash (father of appellant) was recorded for an extent of 2 acres in Sy.No.67/16/ 8.
- xiii) Pahani 2009-10 – Nagalkonda village – Narnoor Mandal – name of Pawar Prakash S/o Gopa (father of appellant) was recorded for an extent of 2 acres in Sy.No.67/16/8.

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- xiv) Pahani for the year 2017 – Nagalkonda village – Narnoor Mandal – shows an extent of 2 acres recorded in the name of Pawar Prakash S/o Gopa (father of appellant) in Sy.No.67/16
- xv) 1-B Namuna (ROR) – Nagalkonda village – Narnoor Mandal – an extent of 2 acres was recorded in Sy.No.67/16 in the name of Pawar Prakash S/o Gopa (father of appellant).
- xvi) Old PPB No.82722 – Patta No.66 – issued by Mandal Revenue Officer, Narnoor – in favour of Smt.Maronibai W/o Gopa (grandmother of appellant) for an extent of 1 acre 34 guntas in Sy.No.67/16.
- xvii) Old PPB under Patta No.249 – issued by Mandal Revenue Officer, Narnoor – in favour of Sri P.Prakash S/o Gopa (father of appellant) for an extent of 2 acres in Sy.No.67/16.
- xviii) PPB No.T13130210182 – Khata No.235 – Nagalkonda village – Narnoor Mandal – Utnoor Division – Adilabad Dist. – issued by Tahsildar, Narnoor to Sri Pawar Prakash S/o Gopa (father of appellant) shows an extent of 2 acres in Sy.No.67/16
- xix) Voter list 1971 – 237 Boath Assembly Constituency – Part No.242 – Nagalkonda village – Taluq: Utnoor – Adilabad District – show names of 1) Gopa (grandfather of appellant) at Sl.No.195, 2) Maronibai W/o Gopa (grandmother of appellant) at Sl.No.196 under H.No.1-43.
- xx) Voter list 1977 – show names of 1) Gopa S/o Roopa (grandfather of appellant) at Sl.No.284, 2) Maronibai W/o Gopa (grandmother of appellant) at Sl.No.285, 3) Ganesh S/o Gopa (paternal uncle of appellant) at Sl.No.287 under H.No.1-43.
- xxi) Voter list 1980 – show names of 1) Pawar Gopa S/o Roopla (grandfather of appellant) at Sl.No.425, 2) Maronibai W/o Gopa (grandmother of appellant) at Sl.No.426, 3) Ganesh S/o Gopa (paternal uncle of appellant) at Sl.No.427.
- xxii) Voter list 1993 – 241 Boath (ST) Assembly Constituency – Polling Station No.43 – Nagalkonda area – show names of 1) Pawar Gopa S/o Roopla (grandfather of appellant) at Sl.No.325, 2) Maronibai W/o Gopa (grandmother of appellant) at Sl.No.326, 3) Prakash S/o Gopa (father of appellant) at Sl.No.327, 4) Arunabai W/o Prakash (mother of appellant) at Sl.No.328, 5) Pawar Ganesh S/o Gopa (paternal uncle of appellant) and 6) his wife Smt.Puthlibai at Sl.Nos.329, 330 under H.Nos.2-83 and 2-84.
- xxiii) Voter list for 1995 – 241 Boath (ST) Assembly Constituency – Polling Station No.43 – Nagalkonda area – show names of 1) Pawar Utham S/o Gopa (paternal uncle of appellant) at Sl.No.330, 2) his wife Smt.Yamunabai at Sl.No.331 under H.No.2-85, 3) Pawar Prakash and 4) his wife Aruna (parents of appellant) at Sl.Nos.332,333; 5) Pawar Maronibai W/o Gopa

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(grandmother of appellant) at Sl.No.334, 6) Pawar Dilipkumar S/o Gopa (paternal uncle of appellant) at Sl.Nos.334 and 335 under H.No.2-85, 7) Pawar Ganesh S/o Gopa (paternal uncle of appellant) at Sl.No.336, 8) his wife Smt.Panchubai at Sl.No.337 and 9) his son Rohidas at Sl.No.338 under H.No.2-86.

- xxiv) Copy of Service Roll of P.Prakash S/o Gopal (father of appellant) recruited as Police Constable shows his DoB as 03.01.1970 and birth place as Nagalkonda village, Narnoor Mandal, Adilabad Dist.
- xxv) Certificate bearing No.E/834/94 issued by Mandal Revenue Officer, Narnoor – wherein it was certified that basing on the certifications made by Village Assistant and Mandal Revenue Inspector, Narnoor, Sri Pawar Prakash S/o Gopa is residing in Nagalkonda agency village.
- xxvi) Certificate bearing No.B/48/2019, dt.19.02.2019 issued by Tahsildar, Narnoor certifying that “on the strength of the certification made by the concerned Village Revenue Officer and Mandal Revenue Inspector, this certified that Sri Pawar Shivacharan S/o Pawar Prakash is presently residing in Nagalkonda village of Narnoor Mandal which is notified as Scheduled Area”.
- xxvii) Village Elders declaration – attested by Sarpanch and Upa Sarpanch of GP Nagalkonda, Narnoor Mandal – wherein it was declared that the applicant Pawar Shivacharan S/o Pawar Prakash and his ancestors have been living in Nagalkonda, an agency village in Narnoor Mandal of Adilabad District from before 1950.

6. Vide reference 4th read above, the District Collector, Adilabad has been requested to submit original record pertaining to the case along with para-wise remarks.

7. Accordingly, vide reference 5th read above, the District Collector, Adilabad District has submitted original record of the case along with para-wise remarks.

8. Vide reference 6th read above, a Notice has been issued to the Appellant to attend for hearing on 29.9.2020 at 11.00 AM before the Government to prove her claim along with documentary evidences. Accordingly, the Appellant has attended for hearing on 29.9.2020, and submitted the documents as submitted along with Appeal Petition.

9. From the above documents, it is found that the appellant Pawar Shivacharan S/o. Prakash and his forefathers are the local STs of Nagalkonda agency village in Narnoor Mandal of Adilabad District from before 1950.

10. From the record, there is no complaint made against the Appellant Pawar Shivacharan S/o Prakash R/o Nagalkonda of Narnoor Mandal and the District Collector, Adilabad ought to have informed the same to the

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appointing authority about genuineness of his local ST status in the Agency area of Adilabad District, but instead conducted inquiry and declared him as not local ST of Agency Area of Adilabad District. Non-compliance of directions of the Hon'ble High Court will attract contempt proceedings.

11. Government after careful examination of the documents available on record, documents submitted by the Appellant along with the appeal petition, during the hearing on 29.9.2020 and also in the light of the Interim orders of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh in interim orders passed in IA No.1 of 2018 in WP No.31426 of 2018, dated 5.9.2018 and in IA No.1 of 2018 in WP No.32413 of 2018, dated 14.09.2018 it is found that the appellant Pawar Shivacharan S/o. Prakash and his forefathers are the local STs of Nagalkonda agency village in Narnoor Mandal of Adilabad District from before 1950.

12. Accordingly, Government hereby setting aside the references 1) Memo.Rc.No.C3/1621/2019-3, dt.26.09.2019 of District Collector, Adilabad and 2) Lr.No.D5/309/2018, dt.28.09.2020 of Project Officer, ITDA Uttoor, Adilabad District and allowed the Appeal filed by Pawar Shivacharan S/o Prakash, R/o Nagalkonda Village of Narnoor Mandal, Adilabad District and declaring him as Local ST of Nagalkonda, an agency village in Narnoor Mandal of Adilabad District and also his Certificate bearing No.B/48/2019, dt.19.02.2019 issued by the Tahsildar, Narnoor certifying that the appellant is a local ST of Nagalkonda agency village in Narnoor Mandal, is treated as valid.

13. The Collector & District Magistrate, Adilabad District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**Dr.CHRISTINA Z.CHONGTHU
SECRETARY TO GOVERNMENT**

To

The Collector & District Magistrate, Adilabad District.

Pawar Shivacharan S/o Prakash, R/o Nagalkonda Village of Narnoor Mandal, Adilabad District.

Copy to:

1. The Secretary, Telangana State Public Service Commission, Hyderabad (for information & necessary action)
2. The Project Officer, ITDA Uttoor, Adilabad District (for information & necessary action)
3. The District Educational Officer, Adilabad (for information & necessary action)
4. The PS to Hon'ble Minister for ST Welfare for information.
5. The PS to Secretary (TW)
6. The PS to Special Secretary (TW)
7. SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER